

18 MAY 1966

DD / S REGISTRY

FILE *Personnel 3*

MEMORANDUM FOR: Acting Director of Personnel

Bob:

One of the subjects which I believe has not been completely settled with Col. White is the possible effort to obtain the Purple Heart Award in individual cases that we might present to the Pentagon. The last paper on this of which I am aware is Mr. [] memorandum to the Executive Director dated 15 March 1966.

Will you please bring this subject up to date so that we may discuss it with Col. White in the light of the new Agency award that will be announced soon.

SIGNED Alan M. Warfield

Alan M. Warfield
Acting Deputy Director
for Support

EO-DD/S:VRT:sas (17 May 1966)

Distribution:

Orig - Adse

✓ - DD/S Subject w/Background

1 - DD/S Chrono

Background: Note from VRT to RLB via AMW dated 25 Mar 66

Memo for Ex. Dir. -Compt. from []

Assoc. GC, dated 15 Mar 66 re Eligibility of Agency Personnel in Saigon for Purple Heart (cc)

Xerox letter for Dep. Sec. of Def., Cyrus R. Vance, from U. Alexis Johnson, Undersec. of State, dated 15 Feb 66.

Xerox letter for U. A. Johnson from C. R. Vance dated 3 Mar 66.

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To Mr. Banne [redacted] da Mr. Warfield - [redacted]

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Attached is the latest correspondence on granting the Purple Heart to civilians. Dick [redacted] feels that individual cases should be written up for consideration by the Department of Defense but [redacted] and other members of the Honor and Merit Awards Board disagree. They feel that Secretary Vance's response to State (attached) in effect closes out the matter of granting the Purple Heart to civilians.

Bob wants to talk with Emmett Echols about this when he returns next week, and I suggest they brief you and Colonel White on this subject.

As you know, the Department of State had plans for developing a new award which would be similar to the Purple Heart and the Honor and Merit Awards Board has proposed a special award of this kind for Agency personnel. I assume our award will be approved, but according to the attached State Department letter a good deal of time will be required for them to develop a new award.

If you wish, I will talk with Emmett and Bob about this next week and set up a meeting for them to brief you on their feelings with regard to presentation of individual cases to Defense.

Rg/ao
EB
36 hr.

SECRET

66-11422

OGC 66-0567

15 MAR 1966

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT: Eligibility of Agency Personnel in Saigon
for Purple Heart

1. Attached is a copy of the exchange of correspondence of February 15 and March 3, respectively, between Deputy Under Secretary of State U. Alexis Johnson and Deputy Secretary of Defense Cyrus Vance, forwarded to us by State. (Also attached is a copy of AR 672-5-1.) The Deputy Secretary's reply is that civilian personnel are ineligible for the Purple Heart unless they are actually "serving under competent authority in any capacity with an armed force" of the United States. His quotation is from the Executive Order. He does not comment further on this point. This leaves the matter, it seems to me, one of determining in each case whether any employee was serving under competent authority with an armed force.

2. I am forwarding copies of this correspondence to [] the DDP member of the Honor and Merit Awards Board, and to Emmett Echols, Chairman of the Board. They may want to ascertain the facts as to each employee. Perhaps the appropriate action now is for the Agency to review these cases, having in mind the language of the Executive Order and the command structure and functions of the U. S. authorities in Saigon, and to recommend to the Pentagon the Purple Heart for any employee who, in the judgment of this Agency, is eligible under the language of the Executive Order.

[]
Associate General Counsel

Attachments

cc: []
Mr. Emmett Echols

SECRET

GROUP 1
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downgrading and
declassification

o/m p files

Executive Registry
66-1142

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FEB 15 1966

Dear Cy:

A proposal has been received from Saigon to the effect that the Purple Heart should be granted to civilian employees of the U.S. Government in South Viet Nam who suffer injury or death as the result of hostile action. Both Ambassador Lodge and General Westmoreland endorse the use of the Purple Heart in Viet Nam. Ambassador Lodge makes the point that it is a much better medal for the purpose than any new device that might be invented.

His point is pertinent, because the Department of State has been thinking in terms of a new and separate medal for U.S. civilians killed or wounded in any foreign country as the result of attacks against the United States, its military forces, its citizens, or its property and premises. In view of the special nature of the Vietnamese situation and the length of time required to develop a new award, the Department of State now agrees with the Embassy at Saigon in the use of the Purple Heart for civilian employees of the U.S. Government in South Viet Nam.

It is conceivable that the combined direction of the diplomatic and military programs at Saigon, and the close relationship of the political, military, and economic activities throughout the country might provide the basis

for an/

The Honorable
Cyrus R. Vance,
Deputy Secretary of Defense,
Room 3E928,
The Pentagon.

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for an interpretation by the Department of Defense of paragraph 34 of AR 672-5-1 to cover all U.S. civilian employees. If so, the Department of State favors such an interpretation in connection with Viet Nam, and would concur in any instruction that the Department of Defense might issue to this effect.

We should also like to explore the eligibility for the Purple Heart of U.S. citizens who are privately employed by U.S. firms carrying on Vietnamese operations solely under U.S. Government contracts. The close support given to U.S. Government programs by these companies might qualify their American employees as potential recipients, especially if they are performing functions which would otherwise have to be conducted by U.S. military personnel or U.S. Government employees.

Inasmuch as there are already several instances of injury and death to U.S. citizens, both Government employees and contractors' personnel, I would very much appreciate your early response.

Sincerely,

U. Alexis Johnson

U. Alexis Johnson

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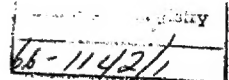


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THE DEPUTY SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

MAR 3 1966



Honorable U. Alexis Johnson
Deputy Under Secretary of State
Washington, D. C. 20520

Dear Alex:

This is in response to your letter of February 15, 1966 proposing that the Purple Heart be awarded to all civilian employees of the U.S. Government, and of U.S. firms carrying on operations solely under U.S. Government contracts, in South Vietnam who suffer injury or death as the result of hostile action.

Eligibility for the Purple Heart is prescribed in Executive Order 11016, "Authorizing Award of the Purple Heart," dated 25 April 1962, in part, as follows:

"The Secretary of a military department, . . . shall, in the name of the President of the United States, award the Purple Heart, . . . to any member of an armed force under the jurisdiction of that Department and any civilian national of the United States, who, while serving under competent authority in any capacity with an armed force of the department has been, or may hereafter be wounded has been, or may hereafter be killed/--

"(a) In any action against an enemy of the United States;

"(b) In any action with an opposing armed force of a foreign country in which the armed forces of the United States are or have been engaged;

"(c) While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party;

"(d) As the result of an act of any such enemy or opposing force; or

"(e) As the result of an act of any hostile foreign force."

It would therefore require an amendment to Executive Order 11016 to extend eligibility for the Purple Heart to include civilian employees of the U.S. Government, or to U.S. citizens who are privately employed by U.S. firms carrying on Vietnamese operations solely under U.S. Government contracts, unless they are actually "serving under" competent authority in any capacity with an armed force."

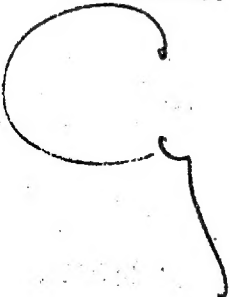
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The Department of Defense does not, at this time, have a coordinated position concerning the larger question posed by your letter. That is, whether or not it would be desirable to award this oldest of the military decorations to U.S. civilians killed or wounded in any foreign country as the result of attacks against the United States, its military forces, its citizens, or its property and premises, or even to certain U.S. citizens involved in the current operations in South Vietnam.

I have requested comments from the Joint Chiefs of Staff and the Military Departments. I will inform you of our recommendation in the matter at an early date.

Sincerely,



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5 November 1962

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United States who, after 6 December 1941, has been cited in orders or awarded a certificate for exemplary conduct in ground combat against an armed enemy between 7 December 1941 and 2 September 1945, inclusive, or whose meritorious achievement has been otherwise confirmed by documents executed prior to 1 July 1947. For this purpose, an award of the Combat Infantryman Badge or Medical Badge is considered as a citation in orders. Documents executed since 4 August 1944 in connection with recommendations for the award of decorations of higher degree than the Bronze Star Medal will not be used as the basis for an award under the provisions of this paragraph.

32. Air Medal. The Air Medal, established by Executive Order 9158 (amended by Executive Order 9242-A, 11 September 1942) (WD Bul. 49, 1942), is awarded to any person who, while serving in any capacity in or with the Army of the United States, shall have distinguished himself by meritorious achievement while participating in aerial flight (fig. 1). Awards may be made to recognize single acts of merit or sustained operational activities against an armed enemy, or for heroism not involving combat. The required achievement, while of lesser degree than that required for the award of the Distinguished Flying Cross, must nevertheless have been accomplished with distinction beyond that normally expected.

☆33. Army Commendation Medal. The Army Commendation Medal established by the Secretary of War on 18 December 1945, and amended in Department of the Army General Orders 10, 1960, is awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, shall have distinguished himself by meritorious achievement or meritorious service (fig. 1).

a. The required meritorious achievement or meritorious service while of lesser degree than that required for the award of the Legion of Merit must nevertheless have been accomplished with distinction and must have been of the same degree as required for the award of the Bronze Star Medal or Air Medal. To qualify, the achievement of the individual should have been of such magni-

tude that it clearly places him above his peers. *For example*, clearly exceptional accomplishment of one or more special or difficult tasks would justify award of this decoration. Outstanding performance of duty is not in itself an adequate basis for award. An award may be made when the operational requirements for the award of the Bronze Star Medal have not been fully met.

b. An award may be made for acts of outstanding courage which do not meet the requirements for an award of the Soldier's Medal.

c. An award for meritorious service will not normally be made for a period of service of less than 6 months duration.

d. The Army Commendation Medal will not be awarded to general officers.

e. It is particularly desirable that emphasis be placed on the award of this decoration to outstanding company grade officers, warrant officers, and enlisted personnel whose achievements and services meet the prescribed standards.

f. Awards may be made upon letter application to The Adjutant General to any individual commended after 6 December 1941 and prior to 1 January 1946 in a letter, certificate, or order of commendation, as distinguished from letter of appreciation, signed by an officer in the grade or position of a major general or higher.

g. The Army Commendation Medal may be awarded in connection with military participation in the Department of the Army Suggestion Program as provided in AR 672-301.

h. Awards of the Army Commendation Ribbon and of the Commendation Ribbon with Metal Pendant are redesignated by Department of the Army General Orders 10, 31 March 1960, as awards of the Army Commendation Medal, without amendments of certificates or of orders previously issued.

☆34. Purple Heart. The Purple Heart, established by General George Washington at Newburgh, N.Y., on 7 August 1782 and revived by the President as announced in War Department General Orders 3, 22 February 1932, as amended by Executive Order 11016, 25 April 1962, is awarded, in the name of the President of the United States, to any member of an Armed Force or any civilian national of the United States, who, while serving under competent authority in any capacity with one of the United States Armed Services after

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5 November 1962

5 April 1917 has been wounded, killed, or who has died or may hereafter die after being wounded (fig. 1)—

In any action against an enemy of the United States;

In any action with an opposing armed force of a foreign country in which the Armed Forces of the United States are or have been engaged;

While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party;

As the result of an act of any such enemy or opposing armed force; or

As the result of an act of any hostile foreign force.

a. A Purple Heart is authorized for the first wound suffered under conditions indicated above, but for each subsequent award an oak-leaf cluster shall be awarded to be worn on the medal or ribbon. Not more than one award will be made for more than one wound or injury received at the same instant or from the same missile, force, explosion, or agent. For the purpose of considering an award of this decoration, a "wound" is defined as an injury to any part of the body from an outside force or agent sustained under one or more of the conditions listed above. A physical lesion is not required, provided the concussion or other form of injury is directly due to enemy, opposing armed force, or hostile foreign force action.

b. A wound for which the award is made must have required treatment by a medical officer and records of medical treatment for wounds or injuries received in action as described above must have been made a matter of official record.

c. A Purple Heart will be issued to the next of kin of each person entitled to a posthumous award (par. 13e). Issue will be made automatically by The Adjutant General upon receiving a report of death indicating entitlement notwithstanding indicated presentation of a Purple Heart to the deceased prior to death.

d. Upon letter application to The Adjutant General, award may be made to any member of the Army during World War I who was awarded a Meritorious Services Citation Certificate signed by the Commander in Chief, American Expeditionary Forces, or who was authorized to wear wound

chevrons. Posthumous awards to personnel who were killed or died of wounds after 5 April 1917 will be made to the appropriate next of kin upon application to The Adjutant General.

e. Any member of the Army who on or after 7 December 1941 was awarded the Purple Heart for meritorious achievement or service in connection with military operations against the enemy may apply for award of an appropriate decoration in lieu of the Purple Heart.

35. **Medal for Merit.** The Medal for Merit was established by act of Congress 20 July 1942 to be awarded to civilians of the nations prosecuting the war under the joint declaration of the United Nations and of other friendly foreign nations who have, subsequent to the proclamation of an emergency by the President, distinguished themselves by exceptionally meritorious conduct in the performance of outstanding services. The Medal for Merit is awarded by the President; it has not been awarded since 1952.

36. **National Security Medal.** The National Security Medal, established by Executive Order 10431, 19 January 1953, is awarded to any person, without regard to nationality, including members of the Armed Forces of the United States for distinguished achievement or outstanding contribution on or after 26 July 1947, in the field of intelligence relating to the national security. This contribution may consist of either exceptionally meritorious service performed in a position of high responsibility or of an act of valor requiring personal courage of a high degree and complete disregard of personal safety.

37. **Medal of Freedom.** The Medal of Freedom, established by Executive Order 9586, 6 July 1945, as amended by Executive Order 10336, 5 April 1952, is awarded to any person other than a member of the Armed Forces of the United States who, after 6 December 1941, has performed a meritorious act or service which has aided the United States in the prosecution of a war against an armed enemy or enemies, or has similarly aided any nation engaged with the United States in the prosecution of a war against a common enemy or enemies, or during any period of national emergency declared by the President or the Congress has furthered the interests or the security of the United States or of any nation allied or associated with the United States during such period when